



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT

722 Moody, County Courthouse, Galveston, Texas 77550 (409) 766-2244

Mark Henry
County Judge

Patrick Doyle
Commissioner, Precinct 1

Kevin O'Brien
Commissioner, Precinct 2

Stephen Holmes
Commissioner, Precinct 3

Ken Clark
Commissioner, Precinct 4

SPECIAL MEETING-AGENDA MARCH 22, 2012 – 3:00 P.M.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 765-2244.

1. Call to Order Specially Scheduled Meeting - 3:00 p.m.
2. Break into Executive Session: Executive Session: The Commissioners Court will enter into executive session as permitted under the Texas Open Meetings Act, Texas Government Code Section 551.071 – Consultation with Attorneys regarding pending litigation or settlement offer for:
 - a. –Civil Action No. 1:11-cv-01837-ABJ-JRM-RMC, Galveston County, Texas v. United States of America, et al, pending in the United States District Court for the District of Columbia.
 - b. –Civil Action No. 3:11-cv-00511, Petteway, et al v. Galveston County, Texas, et al, pending in the United States District Court for the Southern District of Texas.
3. Return to Specially Scheduled Meeting.
4. Consideration of settlement of Civil Action No. 1:11-cv-01837-ABJ-JRM-RMC, Galveston County, Texas v. United States of America, et al, pending in the United States District Court for the District of Columbia.
5. **Community Services**
 - a. Consideration of approval of the FY 2012 Tobacco Settlement Report and authorizing the County Judge to sign the final submission documents.
6. **Housing Department**
 - a. Consideration of Approval of Change Orders associated with the Reconstruction and/or Rehabilitation of various houses.
7. Adjourn Special Meeting.

Appearances before Commissioners Court

a. 3minutes

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court member to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

AGENDA ITEM

#4

NO
BACK – UP
PROVIDED

AGENDA

ITEM

#5a



COUNTY OF GALVESTON
Community Services Division

Connie Nicholson, Director

March 16, 2012

The Honorable Mark Henry, County Judge
And the Honorable Commissioner's Court
The Galveston County Courthouse
722 Moody
Galveston, Texas 77550

Gentlemen

Attached please find the 2012 Tobacco Settlement Report of the County Health Related Expenses

This year's report shows spending in calendar year 2011 for non-reimbursed healthcare is at \$14,130,101.06. This includes a 15% administrative cost adjustment that brings the County's submission to \$16,249,616.21. This report has been reviewed by the Auditor's Office and we have determined the 2012 submission is up this year due to increased UPL payments and the decrease in other sources of reimbursement.

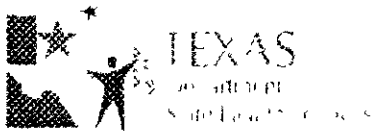
In 2011 the County submitted \$14,505,094.89 shared the receipt of some \$51,000,000 available funds. I anticipate the receipt of funds to be around April 20, 2012.

If you have additional questions, please do not hesitate to contact me.

Respectfully,

A handwritten signature in cursive script, appearing to read "Connie Nicholson".

Connie Nicholson



PRO RATA TOBACCO SETTLEMENT DISTRIBUTION
COUNTY EXPENDITURE STATEMENT – 2012
www.dshs.state.tx.us/tobaccosettlement

Name of County County of Galveston

Provide the **calendar year 2011 unreimbursed health care expenditures** for your county within the categories designated below. The Agreement Regarding Disposition of Settlement Proceeds states that these expenditures shall be calculated as follows:

"The total annual unreimbursed health care expenditures for a county not wholly located within a hospital district are defined as all unreimbursed amounts, including unreimbursed jail health care, expended by such county for health care services to the general public during that year plus 15% of the total."

Allowable Expenditure Categories

A County indigent health care services \$ \$5,905,856.84

B ¹Unreimbursed jail health care \$ \$4,210,776.90

C ²Additional unreimbursed personal health care services provided to the general public \$ \$4,013,467.32
(Use *Category C Expenditure Worksheet* to calculate this amount.)

D ³Other allowable expenditures \$ \$0.00
(This category should **ONLY** be completed if the *Non-Hospital District Public Hospital Expenditure Statement* regarding the sale or lease of a public health care facility applies to you. If applicable, insert the total from page 2 of that form in this category.)

Total allowable expenditures: \$ \$14,130,101.06
(Expenditure Categories A+B+C+D)

X 1.15 = \$ \$16,249,616.21
(Amount claimed by county for pro rata distribution in 2012)

**Pro Rata Tobacco Settlement Distribution
County Expenditure Statement – 2012**

¹Unreimbursed jail health care expenditures may be calculated using either of the following two methods
The total may include unreimbursed health care expenditures for juveniles held under
Court commitment at county expense Indirect costs must be excluded from the calculation

(1) determine the total expenditures based on itemized health care expenses for prisoners over the entire year, subtracting any reimbursement received from entities outside your political subdivision to cover health care expenses for individual prisoners, or

(2) determine the total expenditures based on itemized health care expenses for the entire year and apply the following formula

$$\text{Total Prisoner Health Care} \times \frac{\text{Unreimbursed Jail Population}}{\text{Total Jail Population}} = \text{Unreimbursed Health Care Expenses}$$

Attach a worksheet indicating which of the above methods you used to calculate unreimbursed jail health care expenditures, as well as the base numbers for your calculation

²Expenditures in Category C must be for services such as a hospital district may provide These are typically diagnostic and treatment services for individuals Health care education, outreach, screening, laboratory services, counseling, and case management may be counted Environmental services, such as mosquito control, water testing, and septic tank inspection may not be counted Expenditures for population-based services not involving direct contact with an individual health care recipient, such as restaurant inspection, must also be excluded

Complete the Attachment (page 4 of 4 of this expenditure statement), indicating the base numbers for your calculation of Category C expenditures

³Note the following additional provision in the tobacco settlement agreement, Section 5 B(4)

"To the extent not already included, a political subdivision shall be eligible to include expenditures from the political subdivision reserve funds and other expenditures, to the extent they are verifiable, which are attributable to proceeds from the sale or lease of public health care facilities To the extent that proceeds from the sale or lease of public health care facilities are represented by contractually obligated health care services for indigent residents of the political subdivision performed by the purchaser or lessee, such services shall be valued as if they had been reimbursed at Medicaid rates "

*If the above provision is applicable to your political subdivision, complete and attach the **Non-Hospital District Public Hospital Expenditure Statement** indicating the base numbers for your calculation of Category D expenditures*

**Pro Rata Tobacco Settlement Distribution
County Expenditure Statement – 2012**

The deadline for submission of this form to the Texas Department of State Health Services (DSHS) is **March 31, 2012**. The target date for payment by the Comptroller of Public Accounts to the political subdivisions, based on this information, is no later than April 30, 2012.

The information submitted on this form is subject to audit by the State of Texas. If ineligible expenditures are identified through an audit following payment to a political subdivision, the ineligible amount may be deducted from the subsequent year's payment to that political subdivision.

This is to certify that the above expenditures are eligible for pro rata payment in accordance with the Agreement Regarding Disposition of Settlement Proceeds between the State of Texas and American Tobacco Company, et al

Name of County Galveston

Name of Certifying Officer The Honorable Mark Henry

Certifying Officer's Title County Judge

Certifying Officer's Signature/Date  March 20, 2012

Telephone Number (409) 766-2244 Email mark.henry@co.galveston.tx.us

If you chose to have your completed signed expenditure statement (1) hand delivered or (2) faxed or (3) emailed to DSHS, it must be received no later than 5:00 p.m., March 31, 2012. If you elect to mail (via the U.S. Postal Service) or ship (via a commercial mail service) your completed signed expenditure statement, the postmark must reflect a date no later than midnight, March 31, 2012. **STATEMENTS THAT DO NOT INCLUDE A SIGNATURE WILL NOT BE ACCEPTED.** Statements are to be addressed to:

**Texas Department of State Health Services
Funds Coordination & Management
Attn: Meghan Lyons, MC 4501, Rm. T-511
1100 W 49th Street, Austin, TX 78756
PO Box 149347, Austin, Texas 78714-9347**

You may direct any questions to Ms. Lyons at the above address or by telephone, fax, or email as follows:

Telephone Number: 512.776.2877

Fax: 512.776.7774

Email: meghan.lyons@dshs.state.tx.us

**DSHS WILL ACKNOWLEDGE IN WRITING THE RECEIPT OF ALL COMPLETED SIGNED
EXPENDITURE STATEMENTS**

Category C Expenditure Worksheet

On the appropriate line below, enter the base numbers for your county's additional unreimbursed personal health care services provided to the general public during calendar year 2011. Any unreimbursed expenditures that you made from a trust fund or reserve account for the provision of health care services may also be included below.

(1) Health care clinic, laboratory, and case management services	\$ 254,351 81
(2) Dental care services	\$ 0 00
(3) Outreach and prevention efforts related to tobacco use, including but not limited to media campaigns, education, counseling, and production and distribution of promotional literature	\$ 0 00
(4) Other health care outreach and prevention efforts, including but not limited to media campaigns, education, counseling, and production and distribution of promotional literature. Typical target areas for these efforts include health hazards affecting the general public.	\$ 0 00
(5) Medical transportation	\$ 1,179,004 43
(6) Behavioral or psychiatric health care services	\$ 934,876 74
(7) Capital expenditures for health care services	\$ 0 00
(8) Overhead costs for a health care facility	\$ 86,993 76
(9) Emergency medical services	\$ 1,330,990 00
(10) Medical supplies or equipment used for the provision of health care services to the general public	\$ 47,883 67
(11) Other services provided by the county which are also within the scope of services that hospital districts are authorized by law to provide. These will typically be diagnostic and treatment services. Describe .	\$ 71,522 31
(12) Intergovernmental transfer payment(s)	\$ 107,844 60

TOTAL FOR CATEGORY C

\$ 4,013,467 32
 (Insert this amount under
 Category C on page 1)

AGENDA

ITEM

#6a

RE Agenda Item #? - Consideration of Approval of various Change Order associated with the Reconstruction and Rehabilitation of various Houses submitted by the Housing Department
(CC Agenda 3/20/12)

Builder	City	Appl ID#	CO#	Original Contract		Amount	CO Amt (less Gap)	Amt Plus CO	"% of Change (Amt/Orig Contract)	Description
				Amt or + Previous	CO Amt (less Gap)					
One80Lonestar	Texas City	10797	1	\$	16,318 19	\$	65,786 90	\$	82,105 09	0 25% (REHAB) Electrical, flatwork, doors & windows, HVAC, and plumbing repairs needed